

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

ISABELLA MIGLIOZZI,

Plaintiff,

v.

Case No.: 2:20-cv-326-FtM-38MRM

LEE MEMORIAL HEALTH SYSTEM,
THE PAVILION AT HEALTHPARK,
LLC and JOHN DOE,

Defendants.

ORDER¹

Before the Court is Plaintiff Isabella Miglioizzi's Complaint filed on May 5, 2020. ([Doc. 1](#)). A federal judge must "disqualify [her]self in any proceeding in which [her] impartiality might reasonably be questioned." [28 U.S.C. § 455\(a\)](#). Any doubt "must be resolved in favor of recusal." *Id.* The purpose of [§ 455](#) is "to promote confidence in the judiciary by avoiding even the appearance of impropriety whenever possible." [Liljeberg v. Health Servs. Acquisition Corp.](#), 486 U.S. 847, 865 (1988); see also [United States v. Cerceda](#), 188 F.3d 1291, 1293 (11th Cir. 1999) (requiring recusal when the objective circumstances create an appearing of partiality). Recusal is appropriate when "an objective, disinterested, lay observer fully informed of the facts underlying the grounds on which recusal was sought would entertain a significant doubt about the judge's impartiality." [Parker v. Connors Steel Co.](#), 855 F.2d 1510, 1524 (11th Cir. 1988). Any

¹ Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

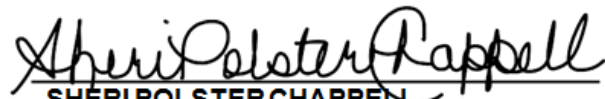
doubts must resolve in favor of the moving party. See [Murray v. Scott, 253 F.3d 1308, 1310 \(11th Cir. 2001\)](#). Because a member of the Undersigned's immediate family works for one of the named Defendants, there is a conflict of interest. So, to avoid even the appearance of partiality (or impartiality), the Undersigned must recuse from this case.

Accordingly, it is now

ORDERED:

- (1) The Honorable Sheri Polster Chappell is **RECUSED** from the above-captioned case.
- (2) The Clerk of the Court is directed to **REASSIGN** the case to another United States District Judge.

DONE and **ORDERED** in Fort Myers, Florida on this 7th day of May 2020.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record